

UNITED STATES DISTRICT COURT
for the

Eastern District of North Carolina

United States of America	AMENDED JUDGMENT
v.)
James Edward Tillery)
	Case No: 4:02-CR-62-1H
)
	USM No: 40470-037
Date of Original Judgment:	March 17, 2003
Date of Previous Amended Judgment:	April 21, 2009
(Use Date of Last Amended Judgment if Any))
	Pro Se
	Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____

Defendant is not eligible for a sentence reduction pursuant to the retroactive crack cocaine guideline amendment because the amount of crack cocaine involved is 8.4 kilograms or greater.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated 3/17/2003; 4/24/2009 shall remain in effect. **IT IS SO ORDERED.**

Order Date: 9/5/13


Malcolm J. Howard
Judge's signature

Effective Date: _____
(if different from order date)

Malcolm J. Howard, Senior United States District Judge
Printed name and title